

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

RANDY SHAWN HOBBS,
Institutional ID No. 02294254

Petitioner,

v.

No. 1:21-CV-00227-H

DIRECTOR, TDCJ-CID,

Respondent.

ORDER TO SHOW CAUSE, NOTICE, AND INSTRUCTIONS TO PARTIES

Petitioner filed a petition for writ of habeas corpus under 28 U.S.C. § 2254. After conducting a preliminary review, the Court orders the following:

Respondent's Answer: Respondent is directed to file an answer to Petitioner's petition pursuant to Rule 5 of the Rules Governing Section 2254 Cases in the United States District Courts within 60 days from the date of this order. No extensions will be granted.

Respondent must raise by way of his answer any appropriate defenses that he wishes to have the Court consider, including, but not limited to, exhaustion, statute of limitations, and successive petition. All applicable issues must be raised in the answer filed by Respondent.

Under Rule 5(c), to the extent that Respondent relies on or cites to portions of the state-court records in his answer and any supporting brief, he must designate as exhibits those portions of the state-court records and include them in a separate appendix filed simultaneously with the answer and any supporting brief.

Respondent must mail a copy of the answer, together with a copy of any supporting brief and an appendix containing the above-mentioned exhibits, to Petitioner at the address set out in Petitioner's pleadings or to his attorney of record, if any. Respondent must file a certificate with the Clerk evidencing such service.

Records: In addition to the state-court records included in the appendix described above, all records must be filed with the Clerk within 60 days from the date of this order.

Petitioner's Response: Under Rule 5(e), Petitioner may file a response to Respondent's answer within 30 days from the date shown on Respondent's certificate of service. Petitioner's response must be limited to the arguments raised by Respondent and shall not include any new allegations of fact or new grounds for relief. Petitioner shall mail a copy of any response to counsel for Respondent and must file a certificate with the Clerk evidencing such service.

Service of Petition and Order: Copies of the petition, attachments, any supporting brief, all orders, and other documents filed in this action will be served electronically upon the Texas Attorney General as Counsel for Respondent and will be directed to the attention of Edward Marshall, Chief, Criminal Appeals Division, Office of the Attorney General of Texas, Austin, Texas. *See* Fed. R. Civ. P. 5(b)(2)(E).

Substitution of Counsel: When an Assistant Attorney General enters an appearance in this case, another Assistant Attorney General may replace the attorney by filing a notice of substitution that identifies the attorney being replaced. Unless the Court otherwise directs, the notice affects the withdrawal of the attorney being replaced and no motion to withdraw pursuant to Local Rule 83.12(a) is required.

The Clerk will transmit a copy of this order to Petitioner or his attorney of record.

So ordered.

Dated December 24, 2021.

A handwritten signature in black ink, appearing to read "J. Hendrix", is written above a horizontal line.

JAMES WESLEY HENDRIX
United States District Judge